

The restriction requirement states that the following groups of inventions are distinct:

- I. Claims 1-33 and 87-89, drawn to a method of forming a material.
- II. Claims 90-98, drawn to an apparatus.

The restriction requirement between groups I. and II. Is respectfully traversed for the following reasons:

Group I is drawn to a method of forming a material.

Group II is drawn to a system for forming a material.

Independent Claim 1, (Group I), as amended herein, includes the steps of:

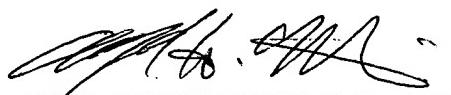
- (a) providing at least one energy source;
- (b) feeding a precursor material into a localized environment of the at least one energy source, to allow the at least one energy source to activate the precursor within gasses;
- (c) directing the gasses along a first path; and
- (d) providing at least one source of pressure differential and applying the at least one source of pressure differential to the localized environment of the at least one energy source, such that the localized environment is selectively changed to redirect the gasses from the first path to a redirected path, to thereby cause the gasses to contact a surface and form at least part of the material.

Independent claim 90 (Group II) includes the following elements:

- (a) at least one energy source;
- (b) means for directing a precursor material along a first path and into a localized environment of the at least one energy source, to allow the at least one energy source to activate the precursor within gasses;
- (c) means for providing at least one source of pressure differential and applying the at least one source of pressure differential to the localized environment of the at least one energy source, such that the localized environment is selectively changed to redirect the gasses from the first path to a redirected path, to thereby cause the gasses to contact a surface and form at least part of the material.

As the steps of the independent method claim 1 are functionally the same as the broadly claimed elements required in the independent apparatus claim 90, it is the applicant's opinion that the process as claimed cannot be practiced by another materially different apparatus, nor can the apparatus as claimed be used to practice another and materially different process. Furthermore, any search required to find prior art related to the process steps would inherently be the same as a search required to find prior art related to the apparatus elements. Thus no undo burden should be placed on the Examiner to search both sets of claims. It is therefore requested that the restriction requirement be withdrawn.

Respectfully submitted,



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